

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KEVIN JACKSON,

Plaintiff(s),

vs.

SERGEANT ARMSTRONG,

Defendant(s).

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Case Number: 1:05cv798

District Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Hogan filed on May 29, 2008 (Doc. 37), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired August 11, 2008, hereby ADOPTS said Report and Recommendation.

Accordingly, Defendant Armstrong's motion for summary judgement is **GRANTED** and Defendant Bianco's motion for summary judgment is **DENIED**.

IT IS SO ORDERED.

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s/Susan J. Dlott
Susan J. Dlott
United States District Judge